

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

|                               |   |                             |
|-------------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA      | ) |                             |
|                               | ) | Criminal No.: 3:00-CR-400-P |
| v.                            | ) |                             |
|                               | ) | Judge Jorge A. Solis        |
| MARTIN NEWS AGENCY, INC.; and | ) |                             |
| BENNETT T. MARTIN,            | ) |                             |
|                               | ) | FILED: May 25, 2001         |
| Defendants.                   | ) |                             |

MOTION OF THE UNITED STATES FOR PRODUCTION  
OF PRIOR STATEMENTS OF DEFENDANTS' WITNESSES

The United States moves this Court for an Order pursuant to Rule 26.2 of the Federal Rules of Criminal Procedure requiring the defendants and their attorneys to produce, after each witness called by the defendants has testified on direct examination, any and all statements made by that witness, other than statements made by the individual defendant Bennett T. Martin, that

are in the possession of the defendants and their attorneys and that relate to the subject matter concerning which the witness will testify.

Respectfully Submitted,

SCOTT M. WATSON  
Chief, Cleveland Field Office

\_\_\_\_\_  
“/s/”  
RICHARD T. HAMILTON, JR.  
Ohio Bar Number--0042399

MICHAEL F. WOOD  
District of Columbia Bar Number--376312

KIMBERLY A. SMITH  
Ohio Bar Number--0069513

SARAH L. WAGNER  
Texas Bar Number--24013700

Attorneys, Antitrust Division  
U.S. Department of Justice  
Plaza 9 Building, Suite 700  
55 Erieview Plaza  
Cleveland, OH 44114-1816  
Telephone: (216) 522-4107  
Fax: (216) 522-8332

### **CERTIFICATE OF CONFERENCE**

This is to certify that the undersigned attorney conferred with Michael P. Gibson, counsel for Bennett T. Martin, on May 22, 2001, and is authorized to state that the Defendant Bennett T. Martin opposes the Motion. The undersigned counsel left a telephone message with Richard A. Anderson, counsel for Martin News Agency, Inc., on May 22, 2001, advising him of the Motion. Mr. Anderson was not available to return the call.

SIGNED this 24th day of May, 2001.

“/s/”

RICHARD T. HAMILTON, JR.

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was sent via Federal Express to the Office of the Clerk of Court on this 24th day of May, 2001. In addition, copies of the above-captioned pleading were served upon the defendants via Federal Express on this 24th day of May, 2001.

Richard Alan Anderson, Esq.  
Burleson, Pate & Gibson, L.L.P.  
2414 N. Akard, Suite 700  
Dallas, TX 75201

Michael P. Gibson  
Burleson, Pate & Gibson, L.L.P.  
2414 N. Akard, Suite 700  
Dallas, TX 75201

“/s/”

RICHARD T. HAMILTON, JR.